

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS  
WAS HELD AUGUST 20, 1996 AT 1:00 P.M. IN WARRENTON, VIRGINIA

P R E S E N T    Mr. David C. Mangum, Chairman; Mr. James G. Brumfield, Vice  
Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr.  
Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr.  
Paul S. McCulla, County Attorney

#### SOCIAL SERVICES PROGRAMS

A work session was held to receive an overview of the Department of Social  
Services and its programs, including Welfare Reform, the Bright Stars Pre-School  
Program, and Foster Care and Child Protective Services.

#### VINT HILL WASTE WATER TREATMENT PLANT

A work session was held to present an overview of the present condition,  
permitting and future expansion of the Vint Hill Waste Water Treatment Plant.

#### INTERNET PRESENTATION

A work session was held to view Fauquier County's Internet home page  
which is now on-line.

#### PROPOSED POLICY ON EXEMPTIONS FROM TAXATION AND A POLICY ON DONATIONS

A work session was held to review and discuss proposed policies relating to  
exemptions from taxation and donations of public funds.

#### EXECUTIVE SESSION

Mr. Brumfield moved to go into executive session pursuant to Virginia Code  
Section 2.1-344(A)(1) for discussion of specified personnel matters. Mr. Mangum  
seconded, and the vote for the motion was unanimous as follows:

Ayes:    Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur  
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays:    None  
Absent During Vote:        None  
Abstention:        None

Upon reconvening from executive session, Mr. Brumfield moved to adopt  
the following certification. Mr. Mangum seconded, and the vote for the motion  
was unanimous.

#### CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an  
executive meeting on this date pursuant to an affirmative recorded vote and in  
accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 20th day of August 1996, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Absent During Meeting: None

ADOPTION OF THE AGENDA

Mr. Brumfield moved to adopt the agenda subject to the substitution of a revised resolution for that agenda item entitled "A Resolution to Amend Section 6-3 of the 1996 By-laws of the Fauquier County Board of Supervisors to Add Subsection B Pertaining to Term Limits for Citizen Appointees to Committees of the Board of Supervisors". Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

CITIZENS TIME

Lora H. Jenkins, a property owner adjacent to Alwington Farm, spoke briefly and provided to the Board a letter requesting amendment of language contained in the County's "Big Box" ordinance.

Sally Murray, representing the Joint Sign Committee of the Economic Development Task Force and Agricultural Advisory Committee, spoke regarding the design of a proposed "Welcome to Fauquier" sign. Ms. Murray provided to the Board a hand-out showing the proposed sign. Ms. Murray, representing the Chamber of Commerce, further spoke regarding citizen complaints received regarding cyclists on designated scenic roads. Ms. Murray commented that cyclists select the roads they are going to travel based on the Scenic Roads map.

Denise Williams, a Scott District resident representing Homeowners for Responsible Development, a Committee within the Concerned Citizens of New

Baltimore organization, provided a letter to the Board regarding the Waterfield rezoning application and its impact on the New Baltimore area.

#### CONSENT AGENDA

Mr. Green moved to adopt the following Consent Agenda items. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the July 16, 1996 Regular Meeting

A Resolution to Set an Adjourned Meeting of the Fauquier County Board of Supervisors for August 26, 1996 for Joint Meeting with the Fauquier County School Board

#### RESOLUTION

A RESOLUTION TO SET AN ADJOURNED MEETING FOR AUGUST 26, 1996  
AT 7:30 P.M. AT THE TRINITY EPISCOPAL CHURCH IN MARSHALL TO  
MEET IN JOINT SESSION WITH THE FAUQUIER COUNTY  
SCHOOL BOARD

BE IT RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That an adjourned meeting is set for August 26, 1996 at 7:30 p.m. at the Episcopal Church in Marshall for a joint meeting with the Fauquier County School Board.

A Resolution to Set an Adjourned Meeting of the Fauquier County Board of Supervisors for September 27, 1996 at 3:00 p.m. for the Ground Breaking Ceremony for the Fauquier Campus of the Lord Fairfax Community College

#### RESOLUTION

A RESOLUTION TO SET AN ADJOURNED MEETING OF THE FAUQUIER COUNTY  
BOARD OF SUPERVISORS FOR SEPTEMBER 27, 1996 AT 3:00 P.M. FOR  
FOR THE GROUND BREAKING CEREMONY FOR THE FAUQUIER CAMPUS  
OF THE LORD FAIRFAX COMMUNITY COLLEGE

BE IT RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That an adjourned meeting is set for September 27, 1996 at 3:00 p.m. for the Ground Breaking Ceremony for the Fauquier Campus of the Lord Fairfax Community College.

A Resolution Adopting the Procurement Policy for Fauquier County Government and Schools

#### RESOLUTION

A RESOLUTION TO ADOPT THE FAUQUIER COUNTY GOVERNMENT/

SCHOOL BOARD PROCUREMENT POLICY, DATED JULY 1, 1996,  
AS THE OFFICIAL PROCUREMENT POLICY OF THE  
FAUQUIER COUNTY BOARD OF SUPERVISORS

WHEREAS, The Code of Virginia, Section 11-36 allows a governing body to delegate purchasing authority to a designated Purchasing Agent; and

WHEREAS, the governing body has the right to approve and implement a Procurement Policy which designates the specific duties of the Purchasing Agent; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the Supervisor of Procurement for Consolidated Services is hereby designated as the Purchasing Agent for the Fauquier County Government, and the Fauquier County Government/School Board Procurement Policy, dated July 1, 1996, a copy of which is filed in the Board file for this meeting, is hereby adopted as the official Procurement Policy of the Fauquier County Board of Supervisors.

A Resolution to Approve Acceptance of the Assignment of Lease Agreement Between Warrenton Investments, Inc., (Lessor), and Middle Virginia Court Services Program, Inc., (Lessee), to the County of Fauquier as Assignee for the Premises Located at 87 Lee Highway, Suite 26

#### RESOLUTION

A RESOLUTION TO APPROVE ACCEPTANCE OF THE ASSIGNMENT OF THE LEASE AGREEMENT BETWEEN WARRENTON INVESTMENTS, INC., (LESSOR), AND MIDDLE VIRGINIA COURT SERVICES PROGRAM, INC., (LESSEE), TO THE COUNTY OF FAUQUIER AS ASSIGNEE FOR THE PREMISES LOCATED AT 87 LEE HIGHWAY, SUITE 26

WHEREAS, prior to July 01, 1996, the County of Fauquier contracted with the Middle Virginia Court Services Program, Inc. to provide community corrections services under Section 19.2-303.3 of the Code of Virginia; and

WHEREAS, the Middle Virginia Court Services Program, Inc. maintains its place of business at 87 Lee Highway, Suite 26, Warrenton, Virginia 20186, and has entered into a two-year Lease Agreement running from April 01, 1996 to March 31, 1998 with Warrenton Investments, Inc., Lessor; and

WHEREAS, after July 01, 1996, community correctional services will be provided by the Fauquier County Office of Adult Court Services, and the Middle Virginia Court Services Program, Inc. will be dissolved; and

WHEREAS, it is the intention of the County of Fauquier to locate the Office of Adult Court Services in the same rental space as currently occupied by the Middle Virginia Court Services Program, Inc. until the end of the lease term; and

WHEREAS, the assignment of such lease is agreeable to Warrenton Investments, Inc. and Middle Virginia Court Services Program, Inc.; and

WHEREAS, funding for rental space for the Office of Adult Court Services has already been fully provided to the County of Fauquier for Fiscal 1997 by the Commonwealth of Virginia Department of Criminal Justice Services through a discretionary state grant; now, therefore be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That acceptance of the assignment of the lease of the premises located at 87 Lee Highway, Suite 26, Warrenton, Virginia be authorized; and, be it

RESOLVED FURTHER, That the County Administrator is authorized to duly execute such documents as are necessary to accept the assignment of the aforesaid lease on behalf of the County as Assignee; and, be it

RESOLVED FINALLY, That the Office of the County Attorney be, and is hereby, directed to draft such documents as are necessary to assign the aforesaid leasehold interest of the Middle Virginia Court Services Program, Inc. to the County of Fauquier.

A Resolution to Authorize the County Administrator to Submit the Fauquier County Virginia Juvenile Community Crime Control Act Plan

#### RESOLUTION

A RESOLUTION TO AUTHORIZE THE COURT SERVICES UNIT DIRECTOR TO SUBMIT THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT (VJCCCA) PLAN ON BEHALF OF FAUQUIER COUNTY

WHEREAS, the Commonwealth of Virginia passed the VJCCCA in 1996 to provide funding to localities to expand their non-detention-based juvenile justice services; and

WHEREAS, the Court Services Unit Director, working with the Juvenile and Domestic Relations Court Judge, has prepared an outline of the proposed services to include electronic monitoring, intensive supervision, in-home counseling services, urinalysis and associated administrative support; and

WHEREAS, the County is required to submit a plan to the State prior to funding being released; and

WHEREAS, there is no local match required; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the Court Services Unit Director be, and is hereby, authorized to submit the required VJCCCA plan on behalf of Fauquier County once the plan has been endorsed by the Juvenile and Domestic Relations Court Judge and the County Administrator.

A Resolution to Authorize Reprinting of Copyrighted Book entitled The Years of Anguish - Fauquier County, Virginia 1861-1865

#### RESOLUTION

A RESOLUTION TO AUTHORIZE REPRINTING OF COPYRIGHTED BOOK ENTITLED THE YEARS OF ANGUISH - FAUQUIER COUNTY, VIRGINIA 1861-1865

BE IT RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the reprinting of that certain manuscript entitled The Years of Anguish - Fauquier County, Virginia 1861-1865, collected and compiled for The Fauquier County Civil War Centennial Committee by Emily G. Ramey and John K.

Gott, be, and is hereby, approved, with the understanding that net proceeds from publication sales will be donated to The Fauquier Heritage Society.

A Resolution to Authorize the County Administrator to Transfer Staff and Associated Funding of the Office of Management and Budget to the Finance Department

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TRANSFER STAFF AND ASSOCIATED FUNDING OF THE OFFICE OF MANAGEMENT AND BUDGET TO THE FINANCE DEPARTMENT

WHEREAS, the Consolidated Services Committee has recommended the consolidation of the School and County budget offices into the Department of Finance; and

WHEREAS, the Committee's recommendation for the consolidation of the budget functions was based upon the recommendation of the Superintendent and the County Administrator; and

WHEREAS, the School Board acted affirmatively upon this recommendation at its meeting held on August 12, 1996; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the County Administrator be, and is hereby, authorized to transfer the staff and associated funding of the Office of Management and Budget to the Finance Department effective upon the adoption of this resolution.

A Resolution to Reclassify a Full-Time Position of Accounting Technician (Grade 15) to a Full-Time Position of Accounting Clerk (Grade 11) in the Office of the Clerk of the Circuit Court

RESOLUTION

A RESOLUTION TO RECLASSIFY A FULL-TIME ACCOUNTING TECHNICIAN (GRADE 15) TO A FULL-TIME ACCOUNTING CLERK (GRADE 11)

WHEREAS, Wm. D. Harris, Clerk of the Circuit Court, has requested that a full-time Accounting Technician (Grade 15) be reclassified as a full-time Accounting Clerk (Grade 11); and

WHEREAS, Wm. D. Harris, Clerk, demonstrated before the Personnel Committee of the Board of Supervisors at its meeting of July 1, 1996, that the nature of the position of Accounting Technician would be more in keeping with a position of Accounting Clerk; and

WHEREAS, Wm. D. Harris, Clerk, has assured the Personnel Committee that this reclassification will not require the addition of personnel funds to the Board of Supervisors' current or future operating budgets; and

WHEREAS, the Personnel Committee approved the request of Wm. D. Harris, Clerk, and directed it to be placed on the Consent Agenda of the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the position of Accounting Technician (Grade 15), be, and it is

hereby, reclassified to Accounting Clerk (Grade 11), effective July 1, 1996; and, be it

RESOLVED FURTHER, That the above reclassification shall have no impact on the Board of Supervisors' current or future operating budget.

A Resolution Authorizing a Public Hearing on Proposed Transfer of Edgehill Subdivision Well Lots to the Fauquier County Water and Sanitation Authority

RESOLUTION

A RESOLUTION AUTHORIZING PUBLIC HEARING ON PROPOSED TRANSFER OF EDGEHILL WELL LOTS TO THE FAUQUIER COUNTY WATER AND SANITATION AUTHORITY

WHEREAS, Fauquier County is currently the record title owner of the well lots for Edgehill Subdivision, said lots being more particularly described as PIN 6971-94-1309-000 and PINE 6971-94-9578; and

WHEREAS, the Fauquier County Water and Sanitation Authority has requested that the Board of Supervisors deed the ownership of said lots to the Authority; and

WHEREAS, Section 15.1-262 of the Code of Virginia requires that the Board of Supervisors hold a public hearing to receive citizen comment on any proposed transfer of a property interest; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the County Administrator be, and is hereby, directed to schedule a public hearing on the proposed transfer of the aforesaid well lots to the Fauquier County Water and Sanitation Authority.

A Resolution Authorizing a Public Hearing on the Proposed Amendments to Section 7-3(1)(a) and (2)(a) of the Code of Fauquier County to Correctly identify the Virginia Route Number of Old Meetze Road Between the New By-Pass and its Intersection with New Route 643 as Virginia Route 672

RESOLUTION

A RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO SECTION 7-3(1)(a) AND (2)(a) OF THE CODE OF FAUQUIER COUNTY

WHEREAS, Sections 7-3(1)(a) and (2)(a) of the Code of Fauquier County require amendment to correct a misidentification of Old Meetze Road as Virginia Route 672 rather than the correct Route 670 and to delete references to US Route 211 in the description of the Baldwin Ridge and Casanova precincts; and

WHEREAS, ordinances amending the Code of Fauquier County require a public hearing to receive citizen comment on the proposed amendment; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the County Administrator be, and is hereby, directed to schedule a public hearing to receive citizen comment on the hereinafter set forth

ordinance amending Sections 7-3(1)(a) and (2)(a) of the Code of Fauquier County relating to the description of the Baldwin Ridge and Casanova precincts:

Sec. 7-3. Same-Precincts boundaries.

The boundaries of the respective precincts are as set forth below. References to all roads, railroads and watercourses are to their center lines.

(1) Cedar Run magisterial district:

(a) Casanova precinct: Starting at the intersection of the eastern cul de sac of Va. Route 672 670 and the corporate limits of the Town of Warrenton, running easterly along Va. Route 672 670 to its intersection with Va. Route 643; thence southeasterly along Va. Route 643 to its intersection with Va. Route 674; thence northerly along Va. Route 674 to its intersection with Va. Route 670; thence easterly on Va. Route 670 to its intersection with Va. Route 602; thence northeasterly along Va. Route 602 to its intersection with Va. Route 670; thence easterly along Va. Route 670 to its intersection with Va. Route 667; thence southeasterly along Va. Route 667 to its intersection with Va. Route 603; thence southerly along Va. Route 603 to its intersection with Va. Route 28; thence southwesterly along Va. Route 28 to its intersection with Va. Route 649; thence northwesterly along Va. Route 649 to its intersection with Va. Route 602; thence northeasterly along Va. Route 602 to its intersection with discontinued Va. Route 602; thence northeasterly along the centerline of discontinued Va. Route 602 to its intersection with continued Va. Route 602; thence northeasterly along continued Va. Route 602 to its intersection with Va. Route 643; thence northwesterly along Va. Route 643 to its intersection with Va. Route 663; thence southwesterly along Va. Route 663 to its intersection with Va. Route 674; thence northerly along Va. Route 674 to its intersection with Va. Route 616; thence northwesterly along Va. Route 616 to its intersection with U.S. Route 15-17-29; thence northerly along U.S. Route 15-17-29 to its intersection with the corporate limits of the Town of Warrenton; thence counterclockwise along the corporate limits of the Town of Warrenton to the point of beginning.

(2) Center magisterial district.-

(a) Baldwin Ridge precinct: Starting at the corporate limits of the Town of Warrenton and the intersection with U.S. Route 17; thence northerly along U.S. Route 17 to its intersection with Va. Route 628; thence northeasterly along Va. Route 628 to its intersection with Va. Route 672; thence southerly on Va. Route 672 to its intersection with Va. Route 605; thence southeasterly on Va. Route 605 to its intersection with U.S. Route 15-29-211; thence southwesterly on U.S. Route 15-29-211 to its intersection with Va. Route 605; thence easterly on Va. Route 605 to its intersection with Va. Route 670; thence southwesterly along Va. Route 670 to its intersection with Va. Route 602; thence southwesterly along Va. Route 602 to its intersection with Va. Route 670; thence southwesterly along Va. Route 670 to its intersection with Va. Route 674; thence southerly on Va. Route 674 to its intersection with Va. Route 643; thence northwesterly along Va. Route 643 to its intersection with Va. Route 672; 670 thence westerly along Va. Route 672 670 to the intersection of the eastern cul de sac of Va. Route 672 670 and the corporate limits of the Town of Warrenton; thence counter clockwise



along the corporate limits of the Town of Warrenton to the point of beginning.

AN ORDINANCE AMENDING SECTION 7-3(1)(a) AND (2)(a) OF THE CODE OF FAUQUIER COUNTY

WHEREAS, Sections 7-3(1)(a) and (2)(a) of the Code of Fauquier County require amendment to correct a misidentification of Old Meetze Road as Virginia Route 672 rather than the correct Route 670 and to delete references to U.S. Route 211 in the description of the Baldwin Ridge and Casanova precincts; and

WHEREAS, after due notice and hearing as required by law the Board of Supervisors of Fauquier County by its adoption of this ordinance determines that the proposed amendments are in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 1996 by the Board of Supervisors of Fauquier County, That Sections 7-3(1)(a) and (2)(a) of the Code of Fauquier County relating to the description of the Baldwin Ridge and Casanova precincts be and are hereby amended as follows:

Sec. 7-3. Same-Precincts boundaries.

The boundaries of the respective precincts are as set forth below. References to all roads, railroads and watercourses are to their center lines.

(1) Cedar Run magisterial district:

(a) Casanova precinct: Starting at the intersection of the eastern cul de sac of Va. Route 672 670 and the corporate limits of the Town of Warrenton, running easterly along Va. Route 672 670 to its intersection with Va. Route 643; thence southeasterly along Va. Route 643 to its intersection with Va. Route 674; thence northerly along Va. Route 674 to its intersection with Va. Route 670; thence easterly on Va. Route 670 to its intersection with Va. Route 602; thence northeasterly along Va. Route 602 to its intersection with Va. Route 670; thence easterly along Va. Route 670 to its intersection with Va. Route 667; thence southeasterly along Va. Route 667 to its intersection with Va. Route 603; thence southerly along Va. Route 603 to its intersection with Va. Route 28; thence southwesterly along Va. Route 28 to its intersection with Va. Route 649; thence northwesterly along Va. Route 649 to its intersection with Va. Route 602; thence northeasterly along Va. Route 602 to its intersection with discontinued Va. Route 602; thence northeasterly along the centerline of discontinued Va. Route 602 to its intersection with continued Va. Route 602; thence northeasterly along continued Va. Route 602 to its intersection with Va. Route 643; thence northwesterly along Va. Route 643 to its intersection with Va. Route 663; thence southwesterly along Va. Route 663 to its intersection with Va. Route 674; thence northerly along Va. Route 674 to its intersection with Va. Route 616; thence northwesterly along Va. Route 616 to its intersection with U.S. Route 15-17-29; thence northerly along U.S. Route 15-17-29 to its intersection with the corporate limits of the Town of Warrenton; thence counterclockwise along the corporate limits of the Town of Warrenton to the point of beginning.

(2) Center magisterial district.-

(a) Baldwin Ridge precinct: Starting at the corporate limits of the Town of Warrenton and the intersection with U.S. Route 17; thence northerly along U.S. Route 17 to its intersection with Va. Route 628; thence northeasterly along Va. Route 628 to its intersection with Va. Route 672; thence southerly on Va. Route 672 to its intersection with Va. Route 605; thence southeasterly on Va. Route 605 to its intersection with U.S. Route 15-29-211; thence southwesterly on U.S. Route 15-29-211 to its intersection with Va. Route 605; thence easterly on Va. Route 605 to its intersection with Va. Route 670; thence southwesterly along Va. Route 670 to its intersection with Va. Route 602; thence southwesterly along Va. Route 602 to its intersection with Va. Route 670; thence southwesterly along Va. Route 670 to its intersection with Va. Route 674; thence southerly on Va. Route 674 to its intersection with Va. Route 643; thence northwesterly along Va. Route 643 to its intersection with Va. Route 672; 670 thence westerly along Va. Route 672 670 to the intersection of the eastern cul de sac of Va. Route 672 670 and the corporate limits of the Town of Warrenton; thence counter clockwise along the corporate limits of the Town of Warrenton to the point of beginning.

FY 1996 Supplemental Appropriations

RESOLUTION (FY96)

A RESOLUTION TO TRANSFER FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year, certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, proper justification for funding adjustments to the Sheriff's Department has been presented to the Board of Supervisors and is attached to this resolution; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the sum of \$4,234.28 be appropriated and is hereby approved.

FY 1997 Supplemental Appropriations

RESOLUTION (FY97)

A RESOLUTION TO TRANSFER FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year, certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, proper justification for funding adjustments to the Sheriff's Department has been presented to the Board of Supervisors and is attached to this resolution; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the sum of \$171,145.75 be appropriated and is hereby approved.

Program for Surface Water Quality Protection

#### RESOLUTION

A RESOLUTION TO ADOPT A MULTI-PHASED PROGRAM  
FOR SURFACE WATER QUALITY PROTECTION  
IN FAUQUIER COUNTY

WHEREAS, the Board of Supervisors unanimously approved a resolution to "Establish a Multi-Phased Program for Surface Water Quality Protection in Fauquier County by July 1996"; and

WHEREAS, staff has prepared a multi-phased program for Surface Water Quality Protection; and

WHEREAS, a work session was held on July 16, 1996 to update the Board of Supervisors on staff's progress and to present a draft multi-phased program for Surface Water Quality Protection in Fauquier County for comment; and

WHEREAS, staff is to proceed with Phase I, Sections A and B as soon as possible; and

WHEREAS, staff is to update the Board of Supervisors upon completion of Phase I, Sections A and B, to receive further direction before proceeding further; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That the following Surface Water Quality Protection - Multi Phased Program, be, and is, hereby adopted.

Surface Water Quality Protection - Multi-Phased Program

Phase I - Urban/Suburban Stormwater Runoff

- A. Incorporate a Stormwater Management Ordinance into the Code of Fauquier County.

1. Provide comments during the upcoming public comment period as the state moves to update and adopt new Stormwater Management Regulations. These regulations were expected to be adopted by June of 1996, but have been stalled on the Secretary of Natural Resources desk. These new regulations will be voluntary, but will help Fauquier County achieve this objective if used in the adoption of a County Ordinance.

2. Prepare a County Stormwater Management Ordinance, based on the state stormwater regulations, that will be applied to urban/suburban growth. This ordinance would fulfill both water quality and quantity requirements currently found in the Virginia Erosion and Sediment Control Handbook and the Occoquan Watershed. This effort will involve both DCR and Planning District 8 who oversees the Occoquan Program. Target completion of this item will be about 3 months after the Virginia Stormwater Management Regulations are adopted.

3. Formally initiate the above County Code amendments and hold public hearings. A target date for implementation of this new ordinance would be about 3 months after the amendments go to public hearing.

B. Implement Septic System Pump-Out Requirements.

1. This measure, which could be done in conjunction with the new Stormwater Management Ordinance, or in the County Sewage regulations, would require five-year pump-outs for septic systems. We would begin the late summer of 1996 by drafting and coordinating this item with the Health Department, the Commissioner of Revenue, the Water and Sanitation Authority, and the Town of Warrenton. A goal would be an adoption date to allow the first series of notices to be sent in January of 1997.

2. Coordinate with the Health Department in drafting an Ordinance for the use of the Bull Run Valve.

C. Explore the Feasibility of Requiring Individual Lot BMP Requirements.

At this time our stormwater management and BMP requirements apply to subdivisions as a whole and do not address runoff from individual lots and homes. This item would adopt components of the Chesapeake Bay Act to apply more stringent "water quality control measures to development of individual residential lots." This item would most likely involve individual lot grading plans with both erosion control measures and BMP requirements shown on these plans.

Phase II - Agricultural Areas and Uses

A. Promote Cost-Share Projects and Education

This would include promoting existing efforts by the John Marshall Soil and Water Conservation District (JMSWCD) and the Extension Office to work with County farmers on cost-share projects and education. This could start anytime.

B. Establish Resource Protection Areas (RPA's) and Resource Management Areas (RMA's)

1. The county would continue to add new GIS layers to the

system including the new soils maps, and 5' contour interval topography.

2. We would work with a number of entities including the JMSWCD, the Extension Office, the GIS office, the Agricultural Advisory Committee and the Board of Supervisors to set criteria for RPA's and RMA's (using the County's own standards or those of the Chesapeake Bay Act), to identify RPA's and begin mapping them.

3. We would look at RMA's to determine whether to treat the County as a single RMA or to map individual RMA's. This item could also include drafting of appropriate ordinances. A target date for completion would be July of 1988.

C. Formally Adopt Maps and Performance Criteria (Ordinance) for RPA's and RMA's.

D. Begin Phase II of the Chesapeake Bay Act.

This includes reviewing our Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance; considering alternatives for revising these plans and ordinances; drafting amendments, and adopting them.

Bill Madden -- Preliminary Subdivision Plat

No action was taken by the Board.

Black Powder Ridge Estates -- Preliminary Subdivision Plat

No action was taken by the Board.

Marshall McDonalds/Amoco - Final Site Plan

No action was taken by the Board.

REQUEST FOR THE 17/66 LIMITED PARTNERSHIP TO DEDICATE TO PUBLIC USE  
A 40 FOOT STRIP OF LAND IN THE MARSHALL SERVICE DISTRICT FOR PUBLIC  
ROADWAY PURPOSES

After discussion, Mr. Green moved to table, until September 3, 1996, the decision on the request for 17/66 Limited Partnership to dedicate to public use a 40 foot strip of land for public roadway purposes. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

A RESOLUTION TO AMEND SECTION 6-3 OF THE 1996 BY-LAWS OF THE  
FAUQUIER COUNTY BOARD OF SUPERVISORS TO ADD SUBSECTION B  
PERTAINING TO TERM LIMITS FOR CITIZEN APPOINTEES TO COMMITTEES OF  
THE BOARD OF SUPERVISORS

Mr. Weeks moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### RESOLUTION

A RESOLUTION TO AMEND SECTION 6-3 OF THE  
1996 BY-LAWS OF THE FAUQUIER COUNTY BOARD  
OF SUPERVISORS TO ADD SUBSECTION B PERTAINING  
TO TERM LIMITS FOR CITIZEN APPOINTEES TO  
COMMITTEES OF THE BOARD OF SUPERVISORS

WHEREAS, Section 6-3 of the 1996 By-Laws of the Board of Supervisors provides that citizen members of committees of the Board of Supervisors shall be appointed by a majority of the Board of Supervisors; and

WHEREAS, the By-Laws do not provide term limits for citizen appointments;  
and

WHEREAS, the Board of Supervisors, by adoption of this Resolution, has determined that it is in the best interest of the County to set forth a policy on term limits for the appointment of citizens to Board of Supervisors' committees; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That Section 6-3 of the 1996 By-Laws of the Board of Supervisors be, and is hereby, amended to add Subsection B as follows:

B. Unless specified by law or otherwise, all appointments of citizens shall be made at the first January meeting after the election of the Board of Supervisors and shall be for a term of four years.

and, be it

RESOLVED FURTHER, That unless specified by law or previous resolution of the Board of Supervisors, the term of all current citizen appointees to the committees of the Board of Supervisors shall expire on December 31, 1996; and, be it

RESOLVED FINALLY, That the Board of Supervisors shall make interim citizen appointments at its January 1, 1997 meeting for all those committees whose citizen appointments will expire on December 31, 1996, and that such appointments shall be for a term of three years.

#### APPOINTMENTS

Mr. Brumfield moved to appoint Dr. Maxwell Harway to the Rappahannock-Rapidan Community Services Board. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None  
Absent During Vote: None  
Abstention: None

Mr. Brumfield moved to appoint Steven W. Rodgers to the Lord Fairfax Community College Board. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### COMPREHENSIVE PLAN/NEW BALTIMORE PRD

Mr. Weeks moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### RESOLUTION

#### A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION STUDY CERTAIN ASPECTS OF THE 1992-2010 FAUQUIER COUNTY COMPREHENSIVE PLAN

WHEREAS, on September 20, 1994, the Fauquier County Board of Supervisors unanimously adopted the 1992-2010 Fauquier County Comprehensive Plan; and

WHEREAS, the adoption of said Comprehensive Plan was preceded by years of study and participation by the Planning Commission and a 15-member Plan Review Advisory Committee (PRAC) whose function was to serve as a conduit for information and input from the citizens to the Planning Commission and vice versa; and

WHEREAS, during this update of the Comprehensive Plan, it was determined that the planning period should be extended from ten to twenty years to facilitate planning for public utilities, facilities and transportation; and

WHEREAS, in furtherance of the Comprehensive Plan, following recommendation of the Planning Commission, the Board, on July 5, 1995, adopted a Planned Residential District Ordinance which was intended to permit development in service districts of mixed use communities with a balance of support commercial uses, community amenities and open space areas; and

WHEREAS, in furtherance of the Comprehensive Plan, the Planning Commission has under study and consideration the Rural Areas Land Use Plan commissioned by the Board and prepared by Earth Design Associates, Inc., and others, for eventual incorporation as Chapter 8 of the Comprehensive Plan; and

WHEREAS, the Fauquier County Board of Supervisors on July 16, 1996 requested the Fauquier County Planning Commission to incorporate portions of the Vint Hill Farms Station Base Reuse Plan into the Comprehensive Plan; and

WHEREAS, the Vint Hill Farms Station is contiguous to the boundaries of the New Baltimore Service District; and

WHEREAS, developmental plans for New Baltimore Service District have an impact upon the Base Reuse Plan and vice versa; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That, in furtherance of the Comprehensive Plan, the Fauquier County Planning Commission be, and is hereby, requested to study that portion of the Comprehensive Plan pertaining to density and size of the Planned Residential District in New Baltimore, exclusive of any portion currently under rezoning application; and, be it

RESOLVED FURTHER, That in the study of the New Baltimore Service District, the Planning Commission take into due consideration sewer service needs of C. Hunter Ritchie Elementary School and the commercial and industrial needs along the U.S. Route 29 corridor in New Baltimore; and, be it

RESOLVED FINALLY, That the Planning Commission make recommendations as to the most appropriate land use designation for any portion of the Planned Residential District studied and recommended for deletion.

#### REZONING REQUEST- STEVEN RODGERS

Based on written request received from Applicant (Steven W. Rodgers and Reta C. Rodgers), wherein Applicant requested that the rezoning request be withdrawn, Mr. Brumfield moved to withdraw the item without prejudice. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### SPECIAL EXCEPTION - MAYBELLE SMITH, OWNER, AND SUE AND CHARLIE BOPP, APPLICANTS

A public hearing was held to consider a request for special exception approval for property owned by Maybelle Smith to reduce the open space requirement. No one spoke. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### RESOLUTION



A RESOLUTION TO APPROVE SPECIAL EXCEPTION  
REQUEST #SE96-L-20  
MAYBELLE SMITH OPEN SPACE REDUCTION

WHEREAS, the applicants, E. Sue and Charlie Bopp, are requesting a special exception approval for a reduction in the open space requirement, from 85% to 72%, in order to build a house and horse barn on a 16.7 acre parcel; and

WHEREAS, the Special Exception Application of the Maybelle Smith Open Space Reduction has been properly filed and all required notices of the public hearing have been properly made, and the applicants have presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the less restrictive standards of paragraph 5-2600 of said Zoning Ordinance, which are met in this application; now therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of August 1996, That Special Exception #SE96-L-20, Maybelle Smith Open Space Reduction, be, and is hereby, approved subject to the following conditions:

1. The proposed Parcel B, 42.8822 acres, shall be a non-common open space lot, requiring an open space easement.
2. Parcel A (16.7043 acres) and Parcel B (42.8822 acres), as shown on the submitted plat, shall be deed restricted from any further subdivision.

SPECIAL EXCEPTION - FAUQUIER COUNTY BOARD OF SUPERVISORS -  
GOVERNMENTAL FACILITY AT CORRAL FARM

A public hearing was held to consider special exception approval for a governmental facility for the Fauquier County Office of Solid Waste and related uses, and for a furniture and clothing storage and distribution facility for the needy of the County to be located at Corral Farm. Dorothy Rust spoke in favor of the special exception. The public hearing was closed. Mr. Brumfield moved to adopt a resolution approving the special exception. Mr. Green seconded. After discussion, Mr. Brumfield, with the consent of Mr. Green, withdrew the motion. Mr. Weeks then moved to table the decision on the special exception request until September 3, 1996. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

REZONING REQUEST - G & G VENTURES, INC./ORLEAN MARKET

A public hearing was held to consider a request from G & G Ventures, Inc., to rezone 1 acre of a 3 acre parcel from V (Village Residential) to VC (Village Commercial). The property is located at the intersection of Leeds Manor Road (Route 688) and John Barton Payne Road (Route 732) in the Village of Orlean, PIN #6935-57-9910-000. Bill Gilliam of G & G Ventures, Inc. spoke in favor of the rezoning request. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None  
Absent During Vote: None  
Abstention: None

## ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST #RZ 96-M-06,  
G & G VENTURES INC., ORLEAN MARKET

WHEREAS, the applicant, having originally filed a request to rezone 3 acres from the Village Residential to Village Commercial Zoning District, has amended the original request to rezone 1 acre of the 3 acre parcel; and

WHEREAS, the applicant has requested this rezoning for the purposes of reflecting the existing non-conforming use of the structure and in order to be able to expand commercial operations in the existing structures; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on July 25, 1996 regarding this rezoning and recommended approval; and

WHEREAS, the Board of Supervisors, on August 20, 1996, held a public hearing on this Zoning Map Amendment; and

WHEREAS, by the adoption of this Ordinance, the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning map; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 20th day of August 1996, That Rezoning Request RZ96-M-06 to rezone 1.0 acre of a 3.0 acre parcel, identified by P.I.N. 6935-57-9910-000, and further identified on the rezoning plat prepared by Greenhorne and Omara dated August 8, 1996, from the V (Village Residential) to VC (Village Commercial) zoning designation be, and is hereby, approved.

ZONING AND SUBDIVISION ORDINANCE AMENDMENTS TO ESTABLISH AN  
AFFORDABLE HOUSING ZONING OVERLAY DISTRICT

A public hearing was held to consider amendment of the Zoning and Subdivision Ordinances to create an Affordable Housing Overlay District for purposes of encouraging the development of affordable housing units in Fauquier County. Mr. Steve Potucek of Marshall District spoke in favor of the amendment. Mr. Mark Riley, as President of the Fauquier County Chamber of Commerce, read, and provided to the Board, a letter in favor of the amendment. Rev. Gildren Fisher, Mr. Bruce Lelacheur and Mr. Conway Porter (President of the local chapter of the NAACP) spoke in favor of the amendment. Billy Owen of Scott District spoke in favor of the amendment and provided information to the Board regarding the current Fauquier County housing situation. Mr. Walter Storey, Attorney Richard Groux, Mr. Eric Mingo and Mr. Dennis McMullen also spoke in favor of the amendment. Mr. William Downy of Scott District spoke in opposition to the amendment. The public hearing was closed. After discussion, Mr. Green moved to table the decision until the September 3, 1996 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None

Abstention:       None